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Kentucky Resources Council

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March 16, 1992

Derek Matory, RPM
Waste Management Division
North Superfund Remedial Branch
Environmental Protection Agency
Region IV
345 Courtland Street NE
Atlanta GA 30365

Dear Mr. Matory:

The Kentucky Resources Council, Inc., a non-profit membership organization incorporated under the laws of the Commonwealth of Kentucky and dedicated to prudent use and conservation of the state's natural resources, submits this letter in opposition to the proposed to delete Lees Lane Landfill from the National Priority List.

The Council opposes the deletion of Lees Lane Landfill from the NPL at this time because the remedy selected and implemented does not appear to be fully protective of the environment.

The Council reiterates the comments it provided on the Feasibility Study phase of this project, which were largely unaddressed by the agency in the selection of remedy and implementation of that remedy. The site remains unmitigated, with uncontrolled avenues of release of hazardous constituents into groundwater and the Ohio River, and with no permanence to the remedy and no remedy at all other than selective grading and control of "hot spots," rip-rapping of the bank, and a system to vent migrating gases.

Unaddressed are the impacts that the site, and the continued presence at the site of largely uncharacterized wastes in place, on the integrity of the community, including property values, future development of the riverfront, and other negative community impacts. The site is not cleaned, and with respect to the likely migration of contaminants into the river and groundwater, does not appear to have been stabilized.

The agency has never properly understood the scope of the dumping that occurred at the site. While the agency estimated

the depth of the site to be 25 feet, bedrock was not encountered until a depth of 91 feet and sand and gravel, which was excavated from the site, occurs at a range of 30 - 91 feet. According to area residents, the amount of waste in place was significantly underestimated by USEPA. The effect of this is that, in addition to potential lateral migration into the river, the placement of waste at greater depths than previously acknowledged by the agency presents a more significant potential for migration of contaminants into groundwater.

The Council incorporates herein by reference the comments submitted on November 4, 1985 concerning the Lees Lane Landfill Feasibility Study, and recommends that the agency not delete the site from the NPL.

Thank you for your attention to these comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tom FitzGerald', with a long horizontal line extending to the right.

Tom FitzGerald
Director